

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Jessie Wilson,

Case No. 1:19 CV 1494

Petitioner,

ORDER ADOPTING
REPORT AND RECOMMENDATION

-vs-

JUDGE JACK ZOUHARY

Warden Lyneal Wainwright,

Respondent.

Petitioner Jessie Wilson was convicted in state court for possession of heroin and cocaine, and he was sentenced to eight years imprisonment. Wilson seeks a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. 1). After voluntarily dismissing one unexhausted ground for relief (Docs. 7–10), Wilson has one ground remaining. On March 2, 2022, Magistrate Judge Carmen Henderson issued a Report and Recommendation (“R&R”) recommending this Court dismiss the remainder of the Petition (Doc. 13). This Court granted a request for an extension of time until April 18, 2022 for Wilson to file an objection (Doc. 16).

Although this Court reviews *de novo* any portions of an R&R to which a party timely objects under 28 U.S.C. § 636(b)(1), failure to timely object waives district and appellate court review of the R&R. *See Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995); *United States v. Walters*, 638 F.2d 947, 950 (6th Cir. 1981). The R&R notified Wilson that failure to object would result in waiver (Doc. 13 at 16). *See Walters*, 638 F.2d at 950. Wilson has not objected, and the extended deadline for objections has passed. This Court therefore adopts the R&R (Doc. 13) in its entirety.

The Petition (Doc. 1) is dismissed. There is no basis upon which to issue a certificate of appealability. *See* 28 U.S.C. § 2253(c)(2). Further, an appeal from this Order could not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U. S. DISTRICT JUDGE

April 27, 2022